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## MEMO ENDORSED

March 31, 2021

By ECF

Hon. Kenneth M. Karas  
United States District Judge  
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: *Stanley v. Direct Energy Services, LLC*, Case No. 7:19-cv-03759-KMK

Dear Judge Karas:

We write on behalf of Plaintiff Linda Stanley and Defendant Direct Energy Services, LLC to inform the Court that the parties have agreed to participate in a mediation of this action on June 3, 2021 in an attempt to reach a fair and just settlement. Accordingly, they respectfully request a stay pending mediation so that they may preserve resources and focus their efforts on a resolution.

Following motion practice regarding the sufficiency of Plaintiff's pleadings and several months of discovery, the parties agreed to retain as a mediator Hon. Diane M. Welsh (Ret.), who has experience mediating several similar class actions against independent energy companies. Indeed, Judge Welsh was the mediator who assisted the parties in reaching a settlement in *Hamlen v. Gateway Energy Services Corp.*, No. 16-3526 (S.D.N.Y.) (Briccetti, J.). Notably, Direct Energy owns Gateway Energy, and the parties in *Hamlen* were represented by counsel for the parties in the instant action.

In the interests of efficiency and preserving judicial resources, the parties respectfully propose that all discovery and other outstanding deadlines be stayed until 10 (ten) days after the June 3, 2021 mediation. The parties also propose to provide the Court with an update following the mediation regarding their attempts to reach a proposed settlement. If the mediation is successful, the parties will propose a deadline for Plaintiff to file a motion for preliminary approval of a class settlement; if not, they will ask that the Court lift the stay and they will propose an amended schedule.

We thank the Court for its consideration of our request.

Respectfully Submitted,

s/ D. Greg Blankinship

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*Attorneys for Plaintiff and the Putative Class*

Granted.

So Ordered.



3/31/21